

# **EXHIBIT D**

**In The Matter Of:**  
*RUTH V. BRIGGS v.*  
*TEMPLE UNIVERSITY*

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*GREGORY G. WACKER*

*June 29, 2017*

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**GREGORY G. WACKER**

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1           IN THE UNITED STATES DISTRICT COURT  
2           FOR THE EASTERN DISTRICT OF PENNSYLVANIA  
3

4         RUTH V. BRIGGS,                                  :  
5    :  
6                 Plaintiff,                                 :  
7    :  
8                 v.    Civil Action  
9    No. 16-00248  
10                TEMPLE UNIVERSITY,                        :  
11    :  
12                 Defendant.                                :  
13    :  
14    :  
15    :  
16    :  
17    :  
18    :  
19    :  
20    :  
21    :  
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1 APPEARANCES:

2 RAHUL MUNSHI, ESQUIRE  
3 Console Mattiacci Law, LLC  
4 1525 Locust Street, Ninth Floor  
5 Philadelphia Pennsylvania 19102

6 Counsel for the Plaintiff

7 RACHEL FENDELL SATINSKY, ESQUIRE  
8 Littler Mendelson, P.C.  
9 Three Parkway  
10 1601 Cherry Street, Suite 1400  
11 Philadelphia, Pennsylvania 19102

12 Counsel for the Defendant

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GREGORY G. WACKER,

125 Archbishop Drive, Conshohocken,  
Pennsylvania, 19428, having been duly  
sworn, was examined and testified as  
follows:

BY MR. MUNSHI:

Q. Good morning, Mr. Wacker.

A. Good morning.

Q. We just met, but my name is Rahul  
Munshi. I am an attorney at Console Mattiacci  
Law, and I have the privilege of representing  
Ruth Briggs in this action she has brought  
against Temple University.

You are here today for your

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1 Q. Did Judy Lennon ever come to you for  
2 advice or guidance?

3 A. Not that I'm aware of.

4 Q. Is Miss Newton still working at Temple?

5 A. No. I believe she retired as well.

6 Q. Did you ever have a conversation with  
7 Miss Briggs about Miss Newton?

8 A. No.

9 Q. Regarding Ruth Briggs, what role, if  
10 any, did you play in the decision to terminate  
11 her employment?

12 MS. SATINSKY: Objection to form.

13 THE WITNESS: I facilitated the  
14 analysis of Dr. Wu's request that she be  
15 terminated.

16 BY MR. MUNSHI:

17 Q. Who made the decision to terminate?

18 MS. SATINSKY: Objection to form.

19 THE WITNESS: Dr. Wu initiates the  
20 request. Drew, who works under me, investigated  
21 the details. Gets the details to me.

22 We then hand those details over to  
23 labor relations, which would be Deirdre Walton's  
24 group. And then it is assessed where the issue

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1 that was brought up falls under the work rules.

2 BY MR. MUNSHI:

3 Q. And then during that multi-step process,  
4 when is the decision made with regard to Ruth  
5 Briggs?

6 A. Once it's reviewed by HR, labor  
7 relations, and confirmed that the appropriate  
8 work rule has been identified, and then the  
9 appropriate discipline is issued.

10 Q. Did Dr. Wu initiate the request to  
11 terminate Miss Briggs to you or Mr. DiMeo or  
12 somebody else?

13 MS. SATINSKY: Objection to form.

14 You can answer the question.

15 THE WITNESS: To Drew.

16 BY MR. MUNSHI:

17 Q. When did that take place?

18 A. I do not recall.

19 Q. In what format was that request to  
20 terminate Miss Briggs made?

21 MS. SATINSKY: Objection to form.

22 BY MR. MUNSHI:

23 Q. And by "format," I mean orally, e-mail,  
24 memo to the file, phone call?

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1                   Do you recall specifically what Drew  
2 DiMeo specifically told you was an issue that  
3 Dr. Wu wanted to fire Miss Briggs over?

4                   MS. SATINSKY: Objection to form.

5                   THE WITNESS: I believe the issue  
6 may have been about a reimbursement for Dr. Wu.  
7 Something Ruth had to put into one of the  
8 systems, university systems that she was unable  
9 to do for multiple days.

10 BY MR. MUNSHI:

11                  Q. Did Drew DiMeo tell you what she did  
12 wrong, if anything?

13                  A. Once again, from what I recall, it was  
14 she put in, Dr. Wu had a reimbursement -- if  
15 this is the correct incident that I'm thinking  
16 of -- she was supposed to put in a reimbursement  
17 for Dr. Wu a week ago and she wasn't able to get  
18 it in because she was having -- she said -- she  
19 indicated she was having problems. It was  
20 investigated and the problem she said she had  
21 was not substantiated and she became  
22 argumentative and combative and disruptive.

23                  Q. Did Drew DiMeo explain to you why Dr. Wu  
24 wanted to actually fire her over this issue --

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1 have already told me about?

2 MS. SATINSKY: Objection. Asked and  
3 answered.

4 THE WITNESS: No.

5 BY MR. MUNSHI:

6 Q. Did you ever consider putting Ruth  
7 Briggs on a performance improvement plan?

8 A. I believe that is what was being done by  
9 interjecting Drew into meeting with her and  
10 Dr. Wu.

11 Q. Is there a formal performance  
12 improvement plan system at Temple?

13 MS. SATINSKY: Objection to form.

14 THE WITNESS: Not that I'm aware of.

15 BY MR. MUNSHI:

16 Q. Is there any sort of documentation that  
17 you are aware of that states any goals or  
18 objectives that Ruth Briggs had to meet by  
19 certain periods of time?

20 A. There is an annual performance  
21 development plan that the supervisor and the  
22 employee are supposed to be meeting and going  
23 over and discussing those issues.

24 Hence Drew was put into the equation

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1 to make sure that Ruth and Dr. Wu would meet  
2 weekly and discuss what's coming up the next  
3 week, what needed to be done in terms of the  
4 work for that upcoming week.

5 Q. And whose decision was it to place Drew  
6 DiMeo in that position?

7 A. Mine, in conjunction with talking to one  
8 of the other senior associate deans.

9 Q. Who is that person?

10 A. At the time that would have been Ralph  
11 Jenkins. He's deceased.

12 Q. Approximately when did Drew DiMeo begin  
13 that role?

14 A. I believe when he was hired. I'm going  
15 to say five, six years ago.

16 Q. This role that Drew DiMeo had where he  
17 would be meeting with Dr. Wu and Ruth Briggs,  
18 did that take place over months or years? How  
19 long would that go on?

20 A. I don't know how long the overlap was,  
21 but as long as Drew and Ruth were both in their  
22 positions, they were -- Drew was interjected to  
23 help facilitate between Dr. Wu and Ruth.

24 Q. Let's take a look at this document that

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1 had heard Ruth yelling?

2 A. No.

3 Q. Did you ever hear about that incident  
4 beyond from what Drew told you?

5 A. No.

6 Q. Did you ever talk to Dr. Wu about that  
7 incident?

8 A. No.

9 Q. The second bullet point here, in this  
10 April 1st, 2014, letter that you signed, it is  
11 regarding a room reservation for the wrong date.

12 Do you see that?

13 A. Yes.

14 Q. Who gave you that information?

15 A. That would be Drew.

16 Q. Anybody else?

17 A. It would be Drew in consultation with  
18 Dr. Wu.

19 Q. Did you ever have a conversation with  
20 Dr. Wu about this issue?

21 A. Not that I recall.

22 Q. So did you have a conversation with  
23 anybody besides Drew?

24 MS. SATINSKY: Objection to form.

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1                   THE WITNESS: Possibly Deirdre in  
2 HR.

3 BY MR. MUNSHI:

4 Q. Do you have a specific recollection of  
5 that?

6 A. Yes, I would have.

7 Q. What do you recall talking to Deirdre  
8 Walton about?

9 A. About these two incidents and the  
10 discipline that should go with it.

11 Q. Did you provide her with any additional  
12 information besides the few sentences in the  
13 second bullet point?

14 MS. SATINSKY: Objection to form.  
15 Asked and answered.

16 BY MR. MUNSHI:

17 Q. Regarding this hotel issue?

18 A. It would have been provided with  
19 whatever Drew was able to provide and Dr. Wu.

20 Q. Did you provide Deirdre Walton or  
21 anybody in labor relations with any  
22 correspondence or documentation regarding the  
23 issues set forth in the second bullet point?

24 MS. SATINSKY: Objection. Asked and

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1       answered. You can answer it one more time,  
2 Greg.

3                     THE WITNESS: Whatever would have  
4 been provided by Drew and Dr. Wu.

5 BY MR. MUNSHI:

6       Q. But sitting here right now, can you tell  
7 me what that is?

8       A. I don't recall.

9       Q. Did you at any point ever see any  
10 documentation regarding the booking of the wrong  
11 dates allegedly by Ruth Briggs as set forth in  
12 the second bullet point?

13      A. I don't recall.

14      Q. Did you ever ask Ruth Briggs about what  
15 took place there?

16      A. No.

17      Q. Did you ever talk to Dr. Wu about it?

18      A. No.

19      Q. Just learned this from Drew DiMeo?

20      A. Once again, the normal process is that  
21 the individual involved with supervising and  
22 helping monitor this handles all of the details.  
23 I get summary information, determine whether  
24 there is sufficient documentation to proceed or

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1 not, and then that gets passed to HR/labor  
2 relations.

3 Q. I know. We are talking about normal  
4 procedure again.

5 MS. SATINSKY: I understand. Rahul,  
6 he is entitled to testify as to what his  
7 practice is, and that is what he is doing.

8 BY MR. MUNSHI:

9 Q. So I will ask the question again. Did  
10 you talk to anybody else besides Drew DiMeo  
11 about the second bullet point?

12 A. Possibly Deirdre Walton.

13 Q. Is it possible that Dr. Wu gave Ruth  
14 Briggs the wrong dates to book?

15 MS. SATINSKY: Objection.

16 THE WITNESS: I don't know.

17 BY MR. MUNSHI:

18 Q. Then the letter continues to state that  
19 Miss Briggs is in violation of the following  
20 work rules.

21 Who made the decision that her  
22 conduct warranted a violation of C.4  
23 Negligence/Carelessness?

24 A. In consultation with labor relations,

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1 that's what was decided.

2 Q. When you say "in consultation," you mean  
3 you in consultation? Who in consultation with  
4 labor relations?

5 A. Drew, myself, and Deirdre Walton.

6 Q. Did you ever participate in a  
7 conversation, phone or otherwise, with both  
8 Deirdre and Drew together?

9 A. Yes.

10 Q. Regarding Ruth Briggs?

11 A. Yes.

12 Q. How many of those did you have?

13 A. I don't recall.

14 Q. Are these the same conversations you  
15 mentioned earlier with Deirdre Walton, or are  
16 these separate conversations?

17 A. I don't recall.

18 Q. Do you recall any conversations, only  
19 you and Deirdre, without Drew, regarding Ruth  
20 Briggs and the termination?

21 A. Yes.

22 Q. Now, separate from that, do you recall  
23 any conversations with both Deirdre and Drew and  
24 yourself regarding Ruth Briggs and the

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1 termination?

2 A. Yes.

3 Q. Of the three of you, how many of those  
4 conversations were there?

5 A. I don't recall.

6 Q. What was discussed?

7 A. The specific incidents that were put up  
8 and the work rules that they would have violated  
9 and the appropriate disciplinary action to go  
10 with this.

11 Q. Is that any different from what you  
12 discussed with Deirdre Walton, just the two of  
13 you?

14 A. No.

15 Q. Same conversations, just one time with  
16 Drew and one time without Drew; is that right?

17 A. Yes.

18 Q. "C.3, Disruptive Or Disorderly Conduct."

19 Whose decision was it to determine  
20 that she violated that rule?

21 A. In consultation with Deirdre Walton and  
22 HR, it was decided that that was a violation as  
23 well.

24 Q. What conduct did she do that was

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1 disorderly?

2 A. The disruptive, argumentative and  
3 unprofessional behavior in front of Drew and  
4 Dr. Wu.

5 Q. Do you know if anyone could hear them  
6 outside of the office?

7 A. I was not there. I do not know.

8 Q. So what was disruptive?

9 A. She was argumentative and  
10 unprofessional.

11 Q. From what you heard; right?

12 A. From what I heard, yes.

13 Q. At any point prior to Miss Briggs'  
14 termination or resignation, I guess, did you  
15 learn that she had complained about Dr. Wu?

16 A. No.

17 Q. Did you ever have a discussion with  
18 Deirdre Walton about Miss Briggs raising  
19 concerns with her?

20 A. No.

21 Q. At any point prior to Miss Briggs'  
22 employment at Temple ending, did you learn that  
23 she raised any complaints or concerns with Sandy  
24 Foehl?

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1 A. No.

2 Q. How about anybody in the EEO office?

3 A. Not that I recall.

4 Q. Are you aware of her raising any  
5 concerns or complaints about Dr. Wu's treatment  
6 of her with anybody in the dean's office?

7 MS. SATINSKY: Prior to the end of  
8 her employment at Temple?

9 MR. MUNSHI: Yes.

10 THE WITNESS: Not that I recall.

11 BY MR. MUNSHI:

12 Q. Did she ever complain to you directly  
13 about how Dr. Wu was treating her in the  
14 workplace?

15 A. She may have once, at which point I  
16 would direct her to Sandy Foehl to get Sandy's  
17 group involved.

18 Q. Is that one incident, the one you  
19 already told me about, with the alleged comment  
20 about China?

21 A. I don't recall.

22 Q. Putting aside the situation about the  
23 alleged comment regarding China, any other  
24 instance that you recall that she complained

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1       Q. Did you hand this disciplinary report to  
2 Ruth Briggs?

3       A. I don't recall.

4       Q. Whose decision was it to issue this  
5 discipline?

6       A. In consultation with labor relations and  
7 Dr. Wu, Dr. Wu initiating, following up with  
8 labor relations, it was determined this is the  
9 appropriate violation of the rule.

10      Q. And just so I am clear, you said Dr. Wu  
11 initiating. Initiating with whom?

12      A. He was initiating with whoever the --  
13 I'm not sure if it was Drew at the time. I  
14 believe it's Drew.

15      Q. Did you play any role in the decision or  
16 the issuing of this disciplinary report?

17      A. The usual role that I play in getting  
18 the information passed up to me, evaluating  
19 whether to pass it through to HR or not is the  
20 standard process that I go by.

21      Q. With regard to this specific  
22 disciplinary report, do you have a specific  
23 recollection of facilitating it or doing  
24 anything with it?

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1 anywhere what it was that Ruth Briggs did that  
2 warranted this conduct?

3 MS. SATINSKY: Objection. Asked and  
4 answered.

5 You can answer it again, Greg.

6 THE WITNESS: No.

7 BY MR. MUNSHI:

8 Q. Now, do you have a recollection -- I  
9 understand your practice -- but do you have a  
10 recollection of speaking with anyone in labor  
11 relations about the issuance of this specific  
12 disciplinary report?

13 A. Yes.

14 Q. And was that Deirdre Walton?

15 A. It would have been labor relations. I  
16 don't recall who it was.

17 Q. And do you recall telling that person  
18 what the unprofessional/inappropriate conduct  
19 was that Miss Briggs allegedly did?

20 A. I don't recall.

21 Q. Do you recall Miss Briggs ever  
22 complaining to you that she got this discipline  
23 unfairly?

24 A. I don't recall.

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